

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Argyros

Plaintiff(s),

-against-

898 Restaurant Corp.

Defendant(s).

09 Civ. 4053 (GBD) (FM)

ORDER OF DISCONTINUANCE

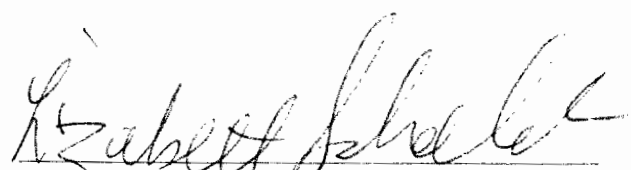
It having been reported to this Court that the above entitled action has been settled, and the parties and their counsel having consented to the undersigned exercising jurisdiction over this case for the limited purpose of entering this Order of Discontinuance, it is hereby


ORDERED that said action be and hereby is, discontinued ~~with~~ without prejudice and with ~~without~~ costs, provided, however, that within 10 days of this date of the order, counsel for plaintiff may apply by letter for restoration of the action to the active calendar of the court, in which event the action will be restored. 78m

DATED: New York, New York

November 24, 2009

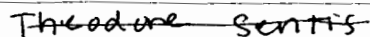

Frank Maas
United States Magistrate Judge


Attorney(s) for Plaintiff
Elizabeth Schalek


Attorney(s) for Defendant
Vincent T. Pallaci

Agreed and Consented to:

Agreed and Consented to:


Theodore Sertis